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have been better if the "Mill Acts" had been discussed in connection with this last heading instead of being given a separate and independent treatment after the discussion of "Irrigation" and "Appropriation." The two hundred and fifty pages given to these last-named subjects will form the most interesting and important portion of the work for the legal profession in the arid and semi-arid states of the West. It is important as being the latest thorough treatment of these growing and difficult problems of our law. The most important of the remaining topics concern the form and construction of grants and contracts, licenses, easements, surface water and drainage, subterranean waters, and rights between landlord and tenant.

In enumerating these different subdivisions, it has not been attempted to give them all. Those have been chosen which have appeared particularly complete or for other reasons exceptionally worthy of notice. Nor has it been possible to go into detail with regard to the author's legal views as to particular principles or cases. So far, however, as it has been possible to form an opinion, they seem, in general, accurate. Slight inaccuracies have been noticed, but these were only such as are inevitable in a work of this character. If a general criticism be allowed, it is this, that the text at places takes too much the form of a digest.

There is one feature of the work that is sufficient alone to win for the work a place in every legal library. Nothing is so discouraging to a lawyer as to run across the statement of a general principle for which are cited in a note a long line of cases merely by their reports and pages, compelling the lawyer to search through them all, only to find, perhaps, that few, if any, are similar enough in their facts to be of service. In the notes to the present work, enough facts of a case are generally stated to avoid this difficulty.

As a general rule it is believed the production of legal works of large scope should be discouraged. With the exception of a few notable treatises the legal works covering broad subjects are now of little use to the practising lawyer. His needs are best met by the book which embraces a small field and in that field gives to the cases and principles a profound and careful examination and discussion. Mr. Farnham's comprehensive treatise must be regarded as a clear exception to the general rule. While the statement of a recent writer that this work "is destined to become one of the greatest law books of the age" is perhaps extravagant, it may fairly be said that, considering its scope, Mr. Farnham's work is surprisingly accurate, thorough, and complete. J. M. B. JR.

A TREATISE ON STREET RAILWAY ACCIDENT LAW. By Ellery H. Clark. Second Edition. St. Paul, Minn: Keefe-Davidson Company. 1904. pp. xv, 607. 8vo.

STREET RAILROAD ACCIDENT LAW. A complete treatise on the principles and rules of law applied by the courts of the states and territories of the United States and Canada in determining the liability of street railroads, for injuries to the person and property by accidents to passengers, employees, and travellers on the public streets and highways, and on pleading and practice in the various jurisdictions in street railroad accident litigation. By Andrew J. Nellis. Albany, N. Y.: Matthew Bender. 1904. pp. cxii, 711. 8vo.

These two books cover practically the same ground and are in many points very similar. There is however a field for both of them, for our modern street railway has become such a predominating factor in present-day tort litigation that no one volume dealing with this topic can satisfy the demands of the profession.

The first of these two treatises is a second edition of an earlier work by the same author devoted exclusively to street railway accident law in Massachusetts. It is a revision and amplification of the former work, and is based upon the same general plan. The different topics are however treated much

more fully, and many new subjects are added, together with a full citation of cases from all jurisdictions. The book has thus become one of general rather than local application and service. It is particularly commendable for its analysis and classification of cases from the point of view of the relation of the plaintiff to the defendant.

The latter volume is also in a sense a second edition. It is based upon a portion of a more general work by the same author entitled "The Law of Street Surface Railroads." After quite a full treatment of the general basis of liability, the writer of this book follows a general plan similar to that of Mr. Clark. He goes perhaps even more carefully into the different details of the varying classes of cases. The material is not quite so thoroughly analyzed or paragraphed as that of the other volume, but it is rather more comprehensive and fundamental in its scope. The indexing of Mr. Nellis's book appears to have been very carefully done, and this renders its discussions especially accessible.

Neither of these two volumes can be said to excel the other. Neither is of any noteworthy originality. Both however are excellent and useful practical treatises and digests. Either can be honestly commended to any practitioner interested in this important branch of tort practice.

W. H. H.

AMERICAN RAILROAD LAW. By Simeon E. Baldwin. Boston: Little, Brown, and Company. 1904. pp. lxvi, 770. 8vo.

Any work of Judge Baldwin will be read with interest by lawyers, and cannot fail to illuminate the subject with which it deals. In writing upon Railroad Law the learned author has chosen a subject of great present interest and importance. A railroad company is a corporation, and therefore subject to the rules that govern corporations and to the requirements of its charter; it is a common carrier, and therefore subject to the peculiar rules that govern public-service companies, and it is endowed with the power of eminent domain. To assemble the rules of law that apply to railroads it would be necessary to deal with three important branches of law, and it is of course impossible to do so in a single volume. Judge Baldwin has limited his work to what is peculiar to railroads, so far as that is possible without obscurity. The disadvantage of such a plan is this, that it rather gives a set of illustrations of the application of fundamental principles to one class of facts than a thorough discussion and determination of the principles themselves. In spite of Judge Baldwin's high capacity for legal analysis and reasoning, this book is a digest of railroad cases, excellently arranged and clearly phrased. Most of the important cases are cited, though one is surprised not to find such leading cases as *Northern Pacific Railroad v. Washington*, on the obligation to establish stations; *Old Colony Railroad v. Tripp*, on the right of hackmen to solicit passengers at the stations; *Boyce v. Anderson*, on the nature of the relation of passenger and carrier; *Norway Plains Co. v. Boston & Maine Railroad*, on the termination of the insurer's liability; *Railroad Company v. Reeves*, on loss by act of God. But the authorities are generally well collected, clearly arranged, and adequately stated, and the book should prove both suggestive and useful. In an appendix are collected a large number of forms which should prove very valuable to a lawyer in practice.

J. H. B.

CYCLOPEDIA OF LAW AND PROCEDURE. Edited by William Mack. Vol. XI. New York: The American Law Book Company. London: Butterworth, & Co. 1904. pp. 1197. 4to.

This volume contains topics from "Costs" to "Credit with Banker" inclusive. Of the seven leading articles, the most pretentious are those on "Costs," "Counties," and "Courts," which together occupy five-sixths of the work. Dealing, therefore, for the most part with matters of practice and procedure rather than with substantive law, the volume cannot, from the nature of the case,